

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

Case number 04-80609

Honorable Julian Abele Cook, Jr.

COREY PATRICK JONES,

Defendant.

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ORDER

On May 11, 2005, the Defendant, Corey Patrick Jones, through his counsel, Rafael Villarruel, filed a motion to dismiss the Indictment, which charges him with being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1). This motion is presently scheduled for a hearing on June 21, 2005. On June 7, 2005, Villarruel filed a motion in which he asked the Court to authorize his withdrawal as the counsel of record for Jones. Villarruel subsequently served his client with a copy of his motion to withdraw on June 10, 2005. As of the date of this Order, neither Jones nor the Government has formally responded to Villarruel's motion.<sup>1</sup>

Upon the basis of the record, the Court determines that it must resolve Villarruel's motion to withdraw as counsel before adjudicating Jones' motion to dismiss the Indictment. Therefore, the Court will postpone the hearing on Jones' motion to dismiss until further notice. This period constitutes excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv).

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<sup>1</sup>In his motion, Villarruel represents that the Government does not oppose his request to withdraw as counsel for Jones. Jones has until June 20th to respond to Villarruel's motion. A separate Order will be entered at that time.

IT IS SO ORDERED.

DATED: June 15, 2005  
Detroit, Michigan

s/ Julian Abele Cook, Jr.  
JULIAN ABELE COOK, JR.  
United States District Judge

Certificate of Service

I hereby certify that on June 14, 1005, I electronically filed the foregoing with the Clerk of the Court using the ECF system, and I further certify that I mailed a copy to the non-ECF participant(s).

s/ Kay Alford  
Courtroom Deputy Clerk